

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

SUBI MEHMETI — PETITIONER
(Your Name)

vs.

TOFAZ TRANSPORTATION, INC — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

SUBI MEHMETI
(Your Name)

801 73rd Apt 3 205
(Address)

Brooklyn NY. 11228
(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

-I-

Was there a legal obligation, company Jofaz Transportation, Inc.?

Which is included according to the laws Employer "Family and Medical Leave Act of 1993"

With a legal obligation the federal for a skilled worker, according to federal laws.

For a health paralysis, supported and protected by federal laws, Protection for employees who request leave or otherwise assert FMLA rights.

-II-

In which of the federal laws is the company Jofaz Transport, Inc grounded?

Denying federal, constitutional, legal rights of the employee?

Replacing legal rights with extreme disciplinary measures?

Because of a serious health condition that makes the employee incapable of performing the employee's work functions.

-III-

Is it possible to be disregarded the representative of the forensics in a trial, by a serious health condition involving continuing treatment by a health care provider, all under federal law Articles?

According to the constitution, all equal are in-laws, without distinction employer-employee.

Is it possible to be denied me, rights constitutional federal legal for judgment, when everything is based on laws

LIST OF PARTIES

All parties appear in the caption of the case on the cover page.

All parties do not appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

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APPENDIX A United States Court Appeals Second Circuit 40 Foley Square, New York, NY10007

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APPENDIX B UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

Case : 18-326(WFK)(LB) , MEMORANDUM &QRDER Feb.9,2018

(Page ...3)

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

Sorry I do not understand, I do not know
what to write.

STATUTES AND RULES

OTHER

IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A to the petition and is

reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the United States district court appears at Appendix B to the petition and is

reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

JURISDICTION

For cases from federal courts:

The date on which the United States Court of Appeals decided my case was May 24, 2018.

No petition for rehearing was timely filed in my case.

A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix A.

An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

For cases from state courts:

The date on which the highest state court decided my case was _____.
A copy of that decision appears at Appendix _____.

A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

This Case involves the application of 1993 (FMLA Act) 29 U.S.C 2601

1993 (Pub.L. 103-3; 29 U.S.C. sec. 2601; 29 CFR 825)

Page 3.

STATEMENT OF THE CASE

Supreme Court of the United States

1 First Street, NE

Washington, DC 20543

I am giving the statement of the case under oath based on the law 28 U.S. Code § 1746 -

Second Circuit U.S. Court of Appeals

Mehmeti v. Jofaz Transportation, Inc.

Case :18-477 ; Case Filed;Feb 16, 2018; Terminated: May 24, 2018

Facts, records, the following arguments are fully verifiable, specified and signed, is recorded the time when the scheme happened(the event), the day when the event took place, the month and the year of the event.

Highlight; all signed by legal persons according to by legal proceeding, based on federal and constitutional laws

-I-

This is a Civil Case, It is due to discrimination and retaliation by the employer, Company Jofaz Transportation, Inc ., for a Serious health condition (incapacitation).

"serious health condition"

Diagnostic and surgery; "cancer in the head"

-Demand-based on laws,

1993 (FMLA Act) 29 U.S. § 2601

1993 (Pub.L. 103-3; 29 U.S.C. sec. 2601; 29 CFR 825)

-Everything, facts based on legal grounds

-All Records according to law ; 29 U.S. § 2601 ;29 U.S.C. § . 2611(11)

the Hospital Maimonides Medical Center records, from the legal doctor.

United States federal law, laws adopted at the congress, Constitution

(a)

-II-

By law, I was the eligible employee. in Company Jofaz Transportation, Inc.

1993 (FMLA Act) 29 U.S. § 2601

- i). I started working at Company Jofaz Transportation Inc. In September 2010, without interruption until October 3, 2012.
- ii). Licensed CDL class B driving license for school bus and passenger.
- iii). The last end date for the job, October 3, 2012, time 8:13 am. arrival time and completion of the work in the morning two schools in Manhatten.

this is a copy of the original document Driver Pre-Trip / Pot, October 3, 2012,

- i). Is confirmed I worked on October 3, 2012, at 1/2 of the regular time
- ii). reasons 1/2 regular working time is Health Paralysis, "Serious Health Condition"

The document from the original October 3, 2012.

Is signed the driver, Subi Mehmeti

Escort; Alexis .M.

Is identified; Document No.1(copy of the original sheet.....2).is presented in Case : 18-477 and Original Case: 18-326

(b)

According to the law;29 CFR 825.110 - (a) (1) (2) (3) Eligible employee.

- i). In the last year of work from January 2012 to October 3, 2012. I worked over 1400 working hours, this including working overtime .amount salary is \$ 31.427.47 according to check NO.14095056 to check dated October 5, 2012. not included summer vacation two months July, August 2012.

The document from the original October 5, 2012.

Is identified ;Document No.2 (copy of the original sheet.....1). is presented in Case : 18-477 and Original Case: 18-326

(c)

According to the law; "FMLA" 1993 (FMLA Act) 29 U.S. § 2601

29 CFR § 825.102 (1)(2)(3) Employer

The company is included in "employer" "FMLA" 1993.

i). Within 75 miles The Company "Jofaz Transportation Inc". there are three addresses in exercise the activity.

1). Address: 1 Coffey St, Brooklyn, NY 11231

Phone: (718) 852-0286

2). Address: 2031 Eastern Pkwy, Brooklyn, NY 11207

Phone: (718) 445-4207

3). Address: 6093 Strickland Ave, Brooklyn, NY 11234

Phone: (718) 444-9510

ii). The Company "Jofaz Transportation Inc". Has over 500 (900) employees. (This, according to newspaper By James Harney Brooklyn Daily Eagle, October 27, 2016).

Is identified; Document No.3 (copy of the original sheet.....1).is presented in Case : 18-477 and Original Case: 18-326

-III-

On October 3, 2012, I had a severe health condition (inability), a health paralysis, "Serious Health Condition"

According to the law; 29 CFR 825.302 (c) - Employee notice requirements for foreseeable FMLA leave.

(c) Content of notice. An employee shall provide at least verbal notice sufficient to make the employer aware that the employee needs FMLA-

i). On October 3, 2012, according to the law, I informed the responsible persons of the company Jofaz Transportation Inc. -about a serious health condition (incapacitation).

ii). I asked for help and support under the laws. (Without interrupting the job, View document No.1)

Underline; October 3, 2012, The entire complaint event included within 1 day, specified in 6 to 7 hours with accurate information 5:30 Am to 12:30 pm, I was involved "Serious Health

Condition"

- i). October 3, 2012, At 5:30 am, I have notified the manager in the morning, for my health condition. (also for using the 3.2 MI bus this for time reason, to go to the doctor of the family, as always this was an order verbal and not a written).
- ii). October 3, 2012, According to law About 11:30 am, by phone, I have notified the supervisor, Company Jofaz Transportation, Inc., the name: Leonard D'Amico, about a serious health condition (incapacitation).
- iii) October 3, 2012, At 11:35 am, I informed by phone the Union, Local Union 854, IBT with and the union also is responded in writing order.

Representative; Michael Gatto

Local 854B. A. Tel no. 516-377-9854,

Is identified; Document, No. 4 (Copy of the original page 1) is presented in Case : 18-477 and Original Case: 18-326

October 3, 2012 (even though I had informed the supervisor, Leonard D'Amico by phone), time 12:00 pm. until 12:30 pm, I went to the company offices Jofaz Transportation Inc. I met face to face with the supervisor of the company, the name: Leonard D'Amico, about 30 minutes conflict, I tell him, I have a medical paralysis, I'm unable to work.

- i). I asked for protection for medical help according to the laws United States Federal law, "Serious Health Condition"

According to the law; "1993 (FMLA Act) 29 CFR 825.112 (a) (4)

(a) Circumstances qualifying for leave. Employers covered by FMLA are required to grant leave to eligible employees:

(4) Because of a serious health condition that makes the employee unable to perform the functions of the employee's job (see §§ 825.113 and 825.123);

- ii). October 3, 2012, Company Jofaz Transportation Inc. Supervisor, Leonard D'Amico It did not have to discredit me or retaliate, why I looked for help according to law, by a serious health condition.

According to the law; " FMLA" 1993) 29 CFR 825.220 - (1)(2)(3) (i) (ii) (iii) (b) (c)(d)(e)

(c) The Act's prohibition against interference prohibits an employer from discriminating or retaliating against an employee or prospective employee for having exercised or attempted to

exercise FMLA rights...

All the above are presented in Case: 18-477 and Original Case: 18-326

-IV-

On October 3, 21012, I've been in "Serious Health Condition" under the laws;

Family and Medical Leave Act of 1993

29 U.S.C. § 2601 29 U.S. Code § 2611(11)

serious health condition

(11)The term "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves— (A)inpatient care in a hospital, hospice, or residential medical care facility; or (B)continuing treatment by a health care provider.

Facts Based on federal laws

From October 3, 2012.(the last day of work)until October 25,2012., I am, diagnosed with cancer without interruption and surgery October 25, 2012; by doctor's Vengerovich Gennadiy, In Hospital Maimonides Medical Center. The original medical record, Copy of the original page 109

Address: Hospital

4802 Tenth Av.

Brooklyn NY 11219

phone; (718) 283-6000

in medical record are specified Doctor, who checked the health condition, date, time, diagnosis, instructions, all according to the rules and laws federal.

Record signing: Sent to court on September 20, 2013

President: Pamela S-Brier

Supervisor Authorized Agent: Barbara Marasco

Patient: Subi Mehmeti

Is identified; Document, No.9 (Copy of the original page 109) is presented in Case : 18-477 and Original Case: 18-326

(a).

The symptoms started on September 27, 2012., the degree of pain 2 out of 10, increasing with every hour and on October 3 after 11:00 am., the pain was unbearable, creating total disability, a health paralysis,

The original record, Maimonides Medical Center Hospital "legal doctor "

Medical Record appearing medical record, Number; D 261

Records October 4, 2012, Time 06:29., am , emergency room Maimonides Medical Center Hospital

Is identified; Number; D 261 (Copy of the original page 1) is presented in Case: 18-477 and Original Case: 18-326

(b)

October 3, 2012, The first medical visit is made within

a few hours on 3 October 2012, family the doctor's office "legal doctor"

Dr. Ranjan Dahal

Medical Record the doctor points out Infection upper respiratory tract and was treated with medications.

Family the doctor's office

Adult Primary Care

Address: 1250 57th St, Brooklyn, NY 11219

Phone: (718) 283-5700

According to the law; 29 CFR 825.115 - Continuing treatment..(a) (3)

(a) (3) The requirement in paragraphs (a)(1) and (2) of this section for treatment by a health care provider means an in-person visit to a healthcare provider. The first (or only) in-person treatment visit must take place within seven days of the first day of incapacity.

Is identified; The document, No. 6 (Copy of the original page 1) is presented in Case: 18-477 and Original Case: 18-326

(c)

October 4, 2012, 14 hours after leaving the family doctor, with the deterioration of my health,

I ended up in the emergency room, at Hospital Maimonides Medical Center.

Address: Hospital

4802 Tenth Av.

Brooklyn NY 11219

phone; (718) 283-6000

medical record appearing medical record, Number; D 260

Records October 4, 2012, Time 06:17 am.,emergency room

I went out of the hospital emergency room on October 4, 2012, Time 19:31 pm

The original record in the emergency room,

Is identified; Number; D 260 (Copy of the original page 2) is presented in Case: 18-cv-00477 and Original Case: 1:18-cv-00326

(d)

October 4, 2012, Time 16:09 pm., emergency room, Hospital Maimonides Medical Center, define tumor (cancer) on the left side of the respiratory tract in the head, with a 4 mm., in a developing process,

The original record, Maimonides Medical Center Hospital "legal doctor "

Medical Record appearing medical record, Number; D 260 and D 267

Records October 4, 2012, Time 16:09 pm .,emergency room

Is identified; ; D 260 and D 267(Copy of the original page 2) is presented in Case: 18-cv-00477 and Original Case: 1:18-cv-00326

(e)

October 4, 2012., time 19:31 pm Doctors, medical and legal examinations, at the Hospital Maimonides Medical Center, give the legal order, to interrupt any kind of activity because of the disability, of a medical paralysis, this interruption is without restriction until the complete healing.

Orders Dr. Suzanne Bialek, MDRES

The original record, Maimonides Medical Center Hospital "legal doctor "

Medical Record appearing medical record, Number; D 260 and D00131

Records October 4, 2012, Time 19:31 pm , emergency room

Is identified; D 260 and D00131 (Copy of the original page 2) is presented in Case: 18-cv-00477 and Original Case: 1:18-cv-00326

(f)

On October 25, 2012, the planned date for surgery of a large, cancerous mass, the doctor successfully completes the planned surgery

doctor's surgery; Vengerovich Gennadiy

The original record, Maimonides Medical Center Hospital "legal doctor "

Medical Record appearing medical record, Number; D 225

Records October 25, 2012,

Procedure Start time 9:33 am.

Is identified; D 225 (Copy of the original page 2) is presented in Case: 18-cv-00477 and Original Case: 1:18-cv-00326

(k)

After surgery, doctors instruct after a week 1 to start working.

The original record, Maimonides Medical Center Hospital "legal doctor "

Medical Record appearing medical record, Number; 033 AWW and 034 AWW

Records October 25, 2012,

Tel.(718) 283 6260

Is identified; 033 AWW and 034 AWW (Copy of the original page 2) is presented in Case: 18-cv-00477 and Original Case: 1:18-cv-00326

It is important; By 109 Record Medical, Hospital Maimonides Medical Center, has detailed information, from October 3, 2012 (the last day of work) health paralysis, severe health condition (inability) until October 25, 2012., the date for surgery large cancerous mass. This is presented in Case: 18-cv-00477 and Original Case: 1:18-cv-00326

Because my health condition was very serious, the illness at that time could have taken my life. I was trying to communicate without interruption with representatives of Company Jofaz Transportation Inc.

federal laws; 1993 (FMLA Act)

29 CFR § 825.102 (1)(i) (ii)(iii)(5) (i)(ii)

Facts based on laws

a). On October 5, 2012, I went to the offices of the company Jofaz Transportation Inc. I met with Supervisor," Leonard D'Amico" I give him all the information of the Hospital Maimonides Medical Center.

I give it to him and the legal order of Dr. Suzanne Bialek, for interruption any kind of activity because of the disability of the medical paralysis.

federal laws;1993 (FMLA Act)

29 CFR 825.112 (a) (4)

§ 825.112 Qualifying reasons for leave, general rule.

b). On October 9, 2012- I sent a letter to the company Jofaz Transportation Inc. for the supervisor, name "Leonard D'Amico", with all the information and the hospital's recommendations,

Copying from the original Certified Mail U.S.P.S. Receipt; No: 70121010000249859795

Is identified; The document, No.13(Copy of the original Receipt page..1) This is presented in Case: 18-cv-00477 and Original Case: 1:18-cv-00326

c).October 16, 2012, I sent a letter to the president of Jofaz Transportation Inc.

President Mr. Joseph Fazza. I sent all the information, the recommendations of the Maimonides Medical Center Hospital.

Copying from the original Certified Mail U.S.P.S. Receipt Nr. 7012 1010000249861712.

Is identified; Document, No.14 (Copy of the original Receipt page.. 1) This is presented in Case: 18-cv-00477 and Original Case: 1:18-cv-00326

The above facts;Everything is backed up by federal laws; 1993 (FMLA Act)

29 CFR 825.220 - (1)(2)(3) (i) (ii) (iii) (b) (c)(d)(e)

§ 825.220 Protection for employees who request leave or otherwise assert FMLA rights.

Conclusion

(A).

- i). Based on Federal Laws; I have informed the company, on October 3, 2012, for my serious health condition
- ii). This is very important I have informed without interrupting the work, for my health condition, inability to work October 3, 2012.in the upcoming hours.

Everything based on Federal Laws; Facts; 1993 (Akti FMLA)

The law defines;29 CFR 825.302 (c) - Employee notice requirements for foreseeable FMLA leave.

(c). The content of the notice. An employee shall provide at least verbal notice sufficient to make the employer aware that the employee needs FMLA-

(B)

- i). My claim, notification on October 3, 2012, for Employer; The Company "Jofaz Transportation Inc". for my Serious health condition, is confirmed, argued by Medical Records Hospital, where show the truth that I was involved in serious health condition October 3, 2012, as and following

Everything is confirmed according to federal laws; 29 U.S. Code § 2611(11)

ii). Confirmed; Records of the hospital from October 3, 2012,(date of health paralysis) until October 25,2012.,

iii). Confirmed; diagnosed with cancer everything under the doctors' care, until Surgery.

All are Based, according to Federal Laws;

1993 (FMLA Act) (Pub.L. 103-3; 29 U.S.C. sec. 2601; 29 CFR 825)

Based on federal law;29 CFR § 825.102 Continuing treatment by a healthcare provider

§ 825.102 (1)(i) (ii)(iii)(5) (i)(ii)

§ 825.102 (5) (ii)

(ii) A condition that would likely result in a period of incapacity of more than three consecutive

full calendar days in the absence of medical intervention or treatment, such as cancer.....

Or, 29 CFR 825.115 - Continuing treatment..(a)(1) (2) (3) (5) (e)(1) (2)

§ 825.115(3) The requirement in paragraphs (a)(1) and (2) of this section for treatment by a health care provider means an in-person visit to a health care provider. The first (or only) in-person treatment visit must take place within seven days of the first day of incapacity.

(C)

The company Jofaz Transportation, Inc., was involved, as Employer according to federal laws.

The company had legal duties

i). According to federal laws;29 CFR 825.112 (a) (4)

(a)Circumstances qualifying for leave. Employers covered by FMLA are required to grant leave to eligible employees:

(4) Because of a serious health condition that makes the employee unable to perform the functions of the employee's job (see §§ 825.113 and §§ 825.123);

ii). And according to federal laws;29 CFR § 825.100 (a)(d)

(D)

i). The whole affair Included within October 3, 2012, time 5: 30, am.,until 12:30, pm.

ii). I had completed 1/2 of October 3rd, 2012 work.

iii). Supervisor, Leonard D'Amico Having seen face to face 100%, I was with a health paralysis, face to face with these facts he with disrepute me, he retaliates against me, these are facts, this is unbelievable? this perhaps works as experience in Company for in years, with workers.

October 3, 2012, Time 12:30 pm. Company Jofaz Transpoertation Inc.Supervisor, Leonard D'Amico It did not have to discredit me or retaliate, why I looked for help according to law, by a serious health condition.

29 CFR 825.220 -(a) (1)(2)(3)-(i) (ii) (iii) (b)-(c)-(d)-(e)

§ 825.220 Protection for employees who request leave or otherwise assert FMLA rights.

(c) The Act's prohibition against interference prohibits an employer from discriminating or retaliating against an employee or prospective employee for having exercised or attempted to exercise FMLA rights....

(e) Individuals, and not merely employees, are protected from retaliation for opposing (e.g., filing a complaint about) any practice which is unlawful under the Act. They are similarly protected if they oppose any practice which they reasonably believe to be a violation of the Act or regulations.

In all these federal laws I was involved, with all Records by Hospital according to Federal Laws, arguments, and facts uncontested under federal laws, but this constitutional right is denied me?.

The Court had full jurisdiction over these laws, based on laws, facts, original hospital records, all under Federal laws.

"Equal Justice Under Law."

I send the case to the Supreme Court of the United States, with much respect for trial, with constitutional power over the law, and with full jurisdiction over these judicial decisions.

Respectfully submitted

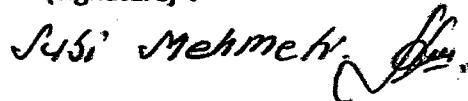
Subi Mehmeli



Supported; 28 U.S. Code § 1746

"I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date).

(Signature).



Sworn to me this 13 day of July 2018



JENNA ANN BRIENZA
Notary Public, State of New York
No. 01BR6290190
Qualified in Richmond County
Commission Expires Oct. 07 2021

Reasons for Granting the Petition

This is a Civil Case, It is due to discrimination and retaliation by the employer, Company Jofaz Transportation, Inc., for a Serious health condition (incapacitation).

"serious health condition"

Diagnostic and surgery; "cancer in the head"

Based, on Federal laws, and according to Constitutional involved in Law.

1993 (Pub.L. 103-3; 29 U.S.C. sec. 2601; 29 CFR 825)

"FMLA" 1993 (FMLA Act)

The Family and Medical Leave Act of 1993 (FMLA) is a United States federal law requiring covered employers to provide employees job-protected and unpaid leave for qualified medical and family reasons. Qualified medical and family reasons include personal or family illness,..

Based on United States federal law; 1993 (FMLA Act) 29 U.S.C. sec. 2611 (11) " serious health condition"

Case Filed: Feb 16, 2018, United States Court Appeals Second Circuit

40 Foley Square, New York, NY 10007

Subi Mehmeti

Plaintiff Appellant

v

Case: 18-477

Jofaz Transportation, Inc.

Defendant Appelle

Proceed Pro se in forma pauperis Case Filed: Feb 16, 2018, Terminated:May 24, 2018

United States Court Appeals Second Circuit

Mehmeti v. Jofaz Transportation, Inc.

Case: 18-477 Ordered ;May 24, 2018

In Court Decision is determined ;

Appellant, pro se, moves for leave to proceed in forma pauperis and to reverse the judgment.

Upon due consideration, it is hereby ORDERED that the motion is DENIED and the appeal is DISMISSED because it "lacks an arguable basis either in law or in fact" Neitzke v. Williams, 490 U.S.319,325 (1989); see also 28U.S.C. 1915 (e)

The reasons I'm to ask for Justice; Relying on the procedure pro se, in forma pauperis

The cause is; Discrimination and retaliation by the employer, by Company Jofaz Transportation, Inc.,

The reasons; " serious health condition"Diagnostic and surgery; "cancer in the head"

Discrimination and retaliation With many consequences; Without work October 3, 2012, July 2018.,with tragic health consequences in continuity, as and many other consequences.

I continue to survive with Benefit Card New York State (for every month)

Monthly Food \$ 196.00; Rent per room, \$ 215.00; And many cash, \$ 180.00

The company, Jofaz Tranportation, Inc., had legal obligations to me as follows

(a)

The company is included in "employer" "FMLA" 1993.

The Company "Jofaz Transportation Inc". Has over 500 (900)employees. (This, according to newspaper By James Harney Brooklyn Daily Eagle, October 27, 2016).

Is identified; (copy of the original sheet.....1).is presented in Case: 18- 477 and Original Case: 18-326

Based on federal laws;1993 (FMLA Act) 29 U.S. § 2601

29 CFR § 825.102 (1)(2)(3) Employer

(b)

By law; I was the eligible employee. in Company Jofaz Transportation, Inc.

i). I started working at Company Jofaz Transportation Inc. In September 2010, without interruption until October 3, 2012.

ii). Licensed CDL class B driving license for school bus and passenger.

iii). The last end date for the job, October 3, 2012, time 8:13 am. arrival time and completion of the work in the morning two schools in Manhattan.

this is a copy of the original document Driver Pre-Trip / Pot, October 3, 2012,

i). Is confirmed I worked on October 3, 2012, at 1/2 of the regular time

ii). reasons 1/2 regular working time is Health Paralysis, "Serious Health Condition"

The document from the original October 3, 2012.

Is signed the driver, Subi Mehmeti

Escort; Alexis .M.

Is identified; Document No.1(copy of the original sheet.....2).is presented in Case: 18- 477 and Original Case:18- 326

. In the last year of work from January 2012 to October 3, 2012. I worked over 1400 working hours, this including working overtime .amount salary is \$ 31.427.47 according to check NO.14095056 to check dated October 5, 2012. not included summer vacation two months July, August 2012.

The document from the original October 5, 2012.

Is identified; (copy of the original sheet.....1). is presented in Case: 18- 477 and Original Case: 18 - 326

This is a fact based on federal laws

on a legal basis, federal law1993 (FMLA Act) 29 U.S. § 2601

29 CFR 825.110 - Eligible employee. (a) (1) (2) (3)

BACKGROUND TO THIS ISSUE :

i). On October 3, 2012, according to the law, I informed the responsible persons of the company Jofaz Transportation Inc. -about a serious health condition (incapacitation).

ii). Date Discrimination and Retaliation by the Employer Oct. 3.2012, The facts prove is intentional action

iii). Date of Health Paralysis October 3, 2012, It's Certified with Medical Records Hospital, page Records.109

i-iii). From October 3, 2012, to October 25,2012., I am diagnosed with cancer without

interruption, In Hospital Maimonides Medical Center, everything under the doctors' care. page Records.109

The proof is, Surgery Cancer in the head with October 25, 2012.

These are the Facts, the company Jofaz Transportation Inc., had legal obligations to me (without including human moral obligations)

In federal laws are defined, the legal obligation for the "employer" and the "Employee" these are laws and require execution for everyone without distinction.

The following provides the Facts for; i); ii); iii); i-iii), arguments at based on federal laws.

With full jurisdiction for this court

BACKGROUND TO THIS ISSUE: i);

October 3, 2012, according to the law, I informed the responsible persons of the company Jofaz Transportation Inc. -about a serious health condition (incapacitation).

According to Federal Laws; 29 CFR 825.302 (c) - Employee notice requirements for foreseeable FMLA leave.

(c) The content of the notice. An employee shall provide at least verbal notice sufficient to make the employer aware that the employee needs FMLA to leave from work

a). I asked for help and support under the laws. (Without interrupting the job, View document No.1)

Underline; October 3, 2012, The entire complaint event included within 1 day, specified in 6 to 7 hours with accurate information 5:30 Am to 12:30 pm, I was involved "Serious Health Condition"

b). October 3, 2012, At 5:30 am, I have notified the manager in the morning, for my health condition. (also for using the 3.2 MI bus this for time reason, to go to the doctor of the family, as always this was an order verbal and not a written).

c). October 3, 2012, According to law About 11:30 am, by phone, I have notified the supervisor, Company Jofaz Transportation, Inc., the name: Leonard D'Amico, about a serious health condition (incapacitation).

d) October 3, 2012, At 11:35 am, I informed by phone the Union, Local Union 854, IBT with and the union also is responded in writing order.

Representative; Michael Gatto

Lokal 854B. A. Tel no. 516-377-9854,

Is identified: (Copy of the original page 1) is presented in Case: 18-477 and Original Case: 18-326

Federal laws oblige the Employers

1993 (FMLA Act)

29 CFR § 825.100 (a)(d) The Family and Medical Leave Act.

(a) The Family and Medical Leave Act of 1993 (FMLA or Act) allows "eligible" employees of a covered

employer to take job-protected, unpaid leave, or to substitute appropriate paid leave if the employee has

earned or accrued it, for up to a total of 12 workweeks in any 12 months because or because the employee's own serious health condition makes the employee unable to perform the functions of his or her job (see § 825.306(b)(4))

BACKGROUND TO THIS ISSUE: ii);

Date Discrimination and Retaliation by the Employer Oct. 3.2012, The facts prove is intentional action .

October 3, 2012 (even though I had informed the supervisor, Leonard D'Amico by phone), time 12:00 pm. until 12:30 pm, I went to the company offices Jofaz Transportation Inc. I met face to face with the supervisor of the company, the name: Leonard D'Amico, about 30 minutes conflict, I tell him, I have a medical paralysis, I'm unable to work.

i). I asked for protection for medical help according to the laws United States Federal law, "Serious Health Condition"

According to the law; "1993 (FMLA Act) 29 CFR 825.112 (a) (4)

(a) Circumstances qualifying for leave. Employers covered by FMLA are required to grant leave to eligible employees:

(4) Because of a serious health condition that makes the employee unable to perform the functions of the employee's job (see §§ 825.113 and 825.123);

ii). October 3, 2012, Company Jofaz Transpoertation Inc. Supervisor, Leonard D'Amico It did not have to discredit me or retaliate, why I looked for help according to law, by a serious health condition.

According to the law; " FMLA" 1993) 29 CFR 825.220 - (1)(2)(3) (i) (ii) (iii) (b) (c)(d)(e)

(c) The Act's prohibition against interference prohibits an employer from discriminating or retaliating against an employee or prospective employee for having exercised or attempted to exercise FMLA rights...

All the above are presented in Case: 18-477 and Original Case: 18-326

BACKGROUND TO THIS ISSUE: (iii); i-iii);

On October 3, 21012, I've been in "Serious Health Condition" under the laws;

Family and Medical Leave Act of 1993

29 U.S.C. § 2601 29 U.S. Code § 2611(11) serious health condition

Facts Based on federal laws

a). From October 3, 2012.(the last day of work)until October 25,2012., I am, diagnosed with cancer without interruption and surgery October 25, 2012; by doctor's Vengerovich Gennadiy, In Hospital Maimonides Medical Center. The original medical record, Copy of the original page 109

Address: Hospital 4802 Tenth Av. Brooklyn NY 11219 phone: (718) 283-6000

in medical record are specified Doctor, who checked the health condition, date, time, diagnosis, instructions, all according to the rules and laws federal.

Record signing: Sent to court on September 20, 2013

President: Pamela S Brier ;Supervisor Authorized Agent: Barbara Marasco

Is identified; (Copy of the original page 109) is presented in Case : 18-477 and Original Case: 18-326

b). October 4, 2012., time 19:31 pm Doctors, medical and legal examinations, at the Hospital Maimonides Medical Center, give the legal order, to interrupt any kind of activity because of the disability, of a medical paralysis, this interruption is without restriction until the complete healing.

Orders Dr. Suzanne Bialek, MDRES

The original record, Maimonides Medical Center Hospital "legal doctor "

Medical Record appearing medical record, Number; D 260 and D00131

Records October 4, 2012, Time 19:31 pm ,emergency room

Is identified; (Copy of the original page 2) is presented in Case: 18-477 and Original Case: 1:18-326

c). On October 25, 2012, the planned date for surgery of a large, cancerous mass, the doctor successfully completes the planned surgery

doctor's surgery; Vengerovich Gennadiy

The original record, Maimonides Medical Center Hospital "legal doctor "

Medical Record appearing medical record, Number; D 225

Records October 25, 2012,

Procedure Start time 9:33 am.

Is identified; (Copy of the original page 2) is presented in Case: 18-477 and Original Case: 1:18-326

These are some of the Medical Record Hospital, by pages ...109

these are supported by federal laws; 1993 (FMLA Act)

29 CFR 825.115 - Continuing treatment..(a)(1) (2) (3) (5) (e)(1) (2)

§ 825.115(a)

(a) Incapacity and treatment. A period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:

§ 825.115(a)(3)

(3) The requirement in paragraphs (a)(1) and (2) of this section for treatment by a health care provider means an in-person visit to a health care provider. The first (or only) in-person treatment visit must take place within seven days of the first day of incapacity.

Additional pages

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF NEW YORK

18-CV-326(WFK)(LB)

WILLIAM F.KUNTZ II UNITED STATES District Judge

Citation, MEMORANDUM & QRDER Feb.9,2018

Case;18-CV-326(WFK)(LB)

The Court emphasizes, as follows

Plaintiff has twice previously litigated this issue. On November 28, 2012, while represented by counsel, he filed a lawsuit against Jofaz alleging the violation of the Family and Medical Leave Act of 1993 ("FMLA") 29 USC & 2601, et seq., and state law on May 22, 2015, after discovery and an unsuccessful attempt mediation. the honorable. Leo Glasser granted Defendants motion for Summary Judgment, finding that Plaintiff was terminated for leaving the bus in an unauthorized location and that the FMLA did not apply. see Mehmeti Vjofaz Transportation

leave as soon as practicable thereafter, thus he could not prevail on a claim of interference with his FMLA rights).

(A)

Yes, it is true I have applied 28 November 2012 I have been represented by the lawyer, ("FMLA") 29 & USC & 2601.

but I have been judged for my activity dated 3 October 2012

i). And I never, have not been judged, under federal laws "FMLA" 1993 (FMLA Act) Medical Record Copy of the original page 109

sent with signatures From September 20, 2013, Mehmeti, V. Jofaz Transportation Inc. Case; 12 -CV-5880

(B)

The lawyers started with me the deposing "questioning" From October 3, 2013, ends at the end of December 2013 the deposing of my whole family, to determine for me how ill I was on 3 October 2012

(D)

Final discrimination to understand
serial number: 41 Filed: 1/24/2014,

Minute Entry for proceedings held by
held on 1/24/2014.

After hearing the arguments of counsel
defendant's motion to compel the deposition
concerning the timing of his attempt
deposition of Mr. Wotorson on that date
by February 28, 2014, and the plaintiff's
parte of whether redactions of respo

On the basis of the foregoing ruling,
return from foreign travel in mid-Feb
record. Once the disclosures ordered
has been filed, I will schedule further
01/24/2014)

I can not understand?

i). what discovery could make the defendant
health condition of 3 October 2012.

i). Hospital Maimonides Medical Center
has sent with signatures Medical Record
September 20, 2013; Case No. 1: 12-cv-00000

ii). in federal laws, are not lawyers th

iii). the constitution, Congress has de
Medical -Law, to evaluate "serious he

1993 (FMLA Act)

29 CFR 825.115 - Continuing treatment

§ 825.115 Continuing treatment (The

MEMORANDUM & QRDER Feb.9,201

like below;

i). They take the deposing, Plaintiff Subi Mehmeti (5 days)starts October 3, 2013

ii). They take the deposing. my son Mentor Mehmeti(one day)

iii). They take the deposing, son's wife, name: Denisa Fejza, (one day)

i-iii), They take the deposing my daughter Ermira Mehmeti, (one day)

a). For each day available to lawyers, from 8 o'clock in the morning until 5 pm

questions from the defendant's lawyer Name; Jamie Scott Felsen.

in the presence of my lawyer, Name; Ambrose Wotorson

i). I do not understand why this act of discrimination has occurred in all my family
members.(with family consequences over me)

ii). Which of us could represent legal doctors? to determine my "Serious health condition 3
October 2012"(None of us had finished school of medicine)

In federal laws, it is defined 29 USC § 2611(11)

serious health condition

(C)

Discrimination for the third time me and my family.Case; 12 -CV-5880

From October 3, 2012, to the end of December 2013, the defendant the lawyer for Jofaz
Transportation Inc., Name; Jamie Scott Felsen, adopts a letter,

requires authorizations for the release of relevant telephone conversation information of my
family members(this was with family consequences for me)

i). Authorizations, phone conversations cell phone records.Plaaintiff Subi Mehmeti

ii). Authorizations phone conversations cell phone records, my wife, Flutura Mehmeti

iii). Authorizations phone conversations cell phone records. my son, Mentor Mehmeti

And today I can not understand, why he did check the telephone conversations, what legal
procedure revealed

Case; 12 -CV-5880

Case;18-CV-326(WFK)(LB)

The Court emphasizes, as follows

quoted the decision; May 22, 2015. Case; 12 -CV-5880

finding Mehmeti failed to establish that he gave notice to Jofazof his intention to take leave as soon as practicable thereafter, thus he could not prevail on a claim of interference with his FMLA rights).

I do not know if there is any notice, more than federal laws;

In federal law is determined;29 CFR 825.302 (c) - Employee notice requirements for foreseeable FMLA leave.

(c)The content of the notice. An employee shall provide at least verbal notice sufficient to make the employer aware that the employee needs FMLA-

facts, and arguments; sufficient for Jofaz Transportatuion, Inc. and for the Court

Facts Argument

a). October 3, 2012, At 5:30 am, I have notified the manager in the morning, for my health condition. (also for using the 3.2 MI bus this for time reason, to go to the doctor of the family, as always this was an order verbal and not a written).

This proves that the company Jofaz Transportation, Inc. has been notified. that I'm sick on October 3, 2012

b). October 3, 2012, According to law About 11:30 am, by phone, I have notified the supervisor, Company Jofaz Transportation, Inc., the name: Leonard D'Amico, I told her I'm unable to work. (notice, sufficient according to federal laws)

c) October 3, 2012, At 11:35 am, I informed by phone the Union, Local Union 854, IBT with and the union also is responded in writing order.

Representative; Michael Gatto

Lokal 854B. A. Tel no. 516-377-9854,

Is identified; Document, No. 4 (Copy of the original page 1) is presented in Case: 18-477 and Original Case: 18-326(notice even Union, sufficient according to federal laws)

As a result of notice, Oct. 3, 2012; the supervisor Leonard D'Amico takes the last action discrimination and retaliation for a Serious health condition (incapacitation).

d). October 3, 2012 (even though I had informed the supervisor, Leonard D'Amico by phone), time 12:00 pm. until 12:30 pm, I went to the company offices Jofaz Transportation Inc. I met face to face with the supervisor of the company, the name: Leonard D'Amico, about 30 minutes conflict, I tell him, I have a medical paralysis, I'm unable to work.

all are well-proven,(what else notice is more than that, that I did not know, this is has been a notice to the maximum) for date 3 October 2012.

In federal laws it is defined:

"1993 (FMLA Act)

29 CFR 825.112 (a) (4)

FMLA " §§ 825.113 and 825.123";

§ 825.112 Qualifying reasons for leave, general rule.

(a) Circumstances qualifying for leave. Employers covered by FMLA are required to grant leave to eligible employees:

(4) Because of a serious health condition that makes the employee unable to perform the functions of the employee's job (see §§ 825.113 and 825.123);

And finally! How my constitutional right to trial has been denied me

United States District Court, E.D. New York.

Mehmeti, V. Jofaz Transportation Inc. Case;

12 -CV-5880

the decision; May 22, 2015. is quoted.

The statute is clearly inapplicable here. Nothing in the record suggests that Mehmeti suffered from a "serious health condition" and was "unable to perform the functions of [his job]"

Facts, the legal basis for the trial, Medical Records, according to federal laws

Family and Medical Leave Act of 1993

29 U.S.C. § 2601 29 U.S. Code § 2611 (11) serious health condition

From October 3, 2012.(the last day of work)until October 25,2012., I am, diagnosed with cancer without interruption and surgery October 25, 2012; by doctor's Vengerovich Gennadiy, In Hospital Maimonides Medical Center. The original medical record, Copy of the original page 109

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in medical record are specified Doctor, who checked the health condition, date, time, diagnosis, instructions, all according to the rules and laws federal.

Record signing: Sent to court on September 20, 2013

President: Pamela S Brier; Supervisor Authorized Agent: Barbara Marasco

a) What which of these! was incomprehensible, and unenforceable, by Medical Records Hospital 109

In federal laws, it is defined very clearly

1993 (FMLA Act)

29 CFR 825.115 - Continuing treatment..(a)(1) (2) (3) (5) (e)(1) (2)

§ 825.115(a) Incapacity and treatment. A period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:

§ 825.115(1) Treatment two or more times, within 30 days of the first day of incapacity, unless extenuating circumstances exist, by a health care provider, by a nurse under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider; or

§ 825.115(3) The requirement in paragraphs (a)(1) and (2) of this section for treatment by a health care provider means an in-person visit to a health care provider. The first (or only) in-person treatment visit must take place within seven days of the first day of incapacity.

§ 825.115(e)(1) Restorative surgery after an accident or other injury; or

(2) A condition that would likely result in a period of incapacity of more than three consecutive, full calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), or kidney disease (dialysis).

Conclusion; Here the issue is very clear.

would not I believe it never?

for the Court to deny me the constitutional right to trial

Or

Recent doubts for me! lawyers in the deal have hidden Medical Records

Conclusion; I am denied by a constitutional right as a citizen, to be judged.

(E)

Citation, MEMORANDUM & QRDER Feb.9,2018

Case;18-CV-326(WFK)(LB)

On December 20, 2016, Plaintiff filed a new action was dismissed on March 7, 2017. See Mehmeti Vjofaz Transportation ,Inc.,16-cv-7085,2017 WL ,908192,at 2(EDNY.Mar.7,2017) (Kuntz,J.).A subsequent appeal and motion for reconsideration were both denied.see 16-CV-7085, ECF Nos.1013.

Yes, it is true ;

i). Thank you for the possibilities you have created me as a court, to continue the proceeding pro se,forma pauperis.

ii). This Understandably, I think and should be taken into consideration, I did not finish any school for justice, I do not have knowledge of laws (I do not know how it works in making judgments)

iii). I did not understand why and what should I change, in my current conditions mistakes are entirely possible, but I'm have sent accurate information to the Court.

a). Case 1:16-cv-07085 because of the legal knowledge, I have decided wrongly in the complaint "ADA"(but both laws are for the illness I did not understand and I did not pay attention, because of my legal skills)

b). Where my lawsuit was continuity Case No. 1:12-cv-05880; "Family and Medical Leave Act of 1993"

Discrimination and retaliation by the employer, Company Jofaz Transportation Inc for a Serious health condition (incapacitation)

All these as above, and by STATEMENT OF THE CASE, They have been available Second Circuit U.S. Court of Appeals

Mehmeti v. Jofaz Transportation, Inc.

Case: 18-477

The Court had full Jurisdiction over these laws

In all these federal laws I was involved, with all Records by Hospital according to Federal Laws, arguments, and facts uncontested under federal laws, but this constitutional right is denied me?.

Second Circuit U.S. Court of Appeals;

The Court had full jurisdiction over these laws, based on laws, facts, original hospital records, all under Federal laws.

"Equal Justice Under Law."

I send the case to the Supreme Court of the United States, with much respect for trial, with constitutional power over the law, and with full jurisdiction over these judicial decisions.

Respectfully submitted

Subi Mehmeti

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

JUBI MCHMEDI

Date: Feb 13, 2018

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